

- 2) Order Type and Number: Consent Order 03-18-HW
 Order Date: June 17, 2003
 Responsible Party: **Phelps Dodge High Performance**
 Location/Mailing Address: 1570 Campton Road
 Inman, SC 29349
 County: Spartanburg
 Previous Orders: 01-07-HW (\$5,000.00)
 Permit Number: SCD 061 523 098
 Violations Cited: The South Carolina Hazardous
 Waste Management Act §44-56-130(2) and the South Carolina Hazardous
 Waste Regulations, 25 S.C. Code Ann. Regs. 61-79.262.41(a)(5), R.61-
 79.262.41(b), R.61-79.264.16(c), and R.61-79.264.52(e)

Summary: Phelps Dodge High Performance Conductors (Respondent) produces tubing, specialty film-insulated conductors and fine conductors for the aerospace and electronics industries. The Respondent has violated the Hazardous Waste Management Regulations as follows: failure to submit written Quarterly Reports to the Department including a description of the waste, the EPA Hazardous Waste Number and the quantity of each waste shipped offsite; failure to submit Quarterly Reports to the Department according to the instructions included with the form; failure to ensure that an annual review of the initial training was given to facility personnel; and failure to ensure that the Contingency Plan included the location and a physical description of all emergency equipment and a brief outline of its capabilities.

Action: The Respondent has agreed to: now and in the future, ensure that accurate Quarterly Reports are submitted to the Department; ensure that all employees receive annual hazardous waste training; include in the contingency plan, the location and physical description of each emergency item at the facility, and a brief description of its capabilities; and pay a civil penalty in the amount of fourteen thousand, five hundred dollars (**\$14,500.00**). The penalty will be paid in one payment.

- 3) Order Type and Number: Consent Order 03-20-HW
 Order Date: June 26, 2003
 Responsible Party: **Paxar Corporation**
 Location/Mailing Address: 1595 Cedarline Drive
 Rock Hill, SC 29730
 County: York
 Previous Orders: None
 Permit Number: SC0 000 000 752
 Violations Cited: South Carolina Hazardous Waste
 Management Act §44-56-130(2) and South Carolina Hazardous Waste
 Management Regulations, 25 S.C. Code Ann. Regs. 61-79.262.41 and 61-
 79.262.34(a)(1)(i)/265.173(a)

Summary: Paxar Corporation (Respondent) provides commercial printing services for clothing manufacturers. The Respondent has violated the Hazardous Waste Management Regulations as follows: failure to provide the appropriate information in three written quarterly reports; and, failure to keep containers holding hazardous waste closed during storage, except when it is necessary to add or remove waste.

Action: The Respondent has agreed to: now and in the future, ensure that all quarterly reports submitted to the Department as required by R.61-79.262.41, are accurate and reflect all hazardous waste shipped offsite to a treatment, storage or disposal facility during the reporting period; ensure that all containers of hazardous waste are closed during storage except when it is necessary to add or remove waste; and, pay a civil penalty in the amount of five thousand dollars (**\$5000.00**). The civil penalty has been paid.

4) Order Type and Number: Consent Order 03-21-HW
 Order Date: June 30, 2003
 Responsible Party: **Nippon Carbide Industries (SC), Inc.**
 Location/Mailing Address: 1250 Perimeter Road
 Greenville, SC 29605
 County: Greenville
 Previous Orders: None
 Permit Number: SCR 000 006 700
 Violations Cited: The South Carolina Hazardous
 Waste Management Act §44-56-130(2) and the South Carolina Hazardous
 Waste Management Regulations, 25 S.C. Code Ann. Regs. 61-
 79.265.173(a), and R.61-79.262.202

Summary: Nippon Carbide Industries (SC), Inc. (Respondent) manufactures polymer resin used in copier toner for toner manufacturers. The Respondent has violated the Hazardous Waste Management Regulations as follows: failure to close all containers holding hazardous waste except when necessary to add or remove waste; and failure to manage all hazardous waste placed in a tank in accordance with the applicable requirements of Subpart BB.

Action: The Respondent has agreed to: now and in the future, ensure that all containers of hazardous waste are kept closed, except when necessary to add or remove waste; within thirty (30) days of the effective date of this Consent Order, submit to the Department analytical data/documentation to substantiate compliance with R.61-79.265.1063 Subpart BB and R.61-79.265.1085 Subpart CC; and, pay a civil penalty in the amount of five thousand dollars (**\$5,000.00**). The civil penalty will be paid in one payment.

Solid Waste Enforcement

- 5) Order Type and Number: Consent Order 03-21-SW
 Order Date: June 3, 2003
 Responsible Party: **Double E Trucking & Mulch
Wood Grinding Site**
 Location/Mailing Address: 955 Watts Hill Road, Lugoff, SC
 29078
 County: Kershaw
 Previous Orders: N/A
 Permit Number: Registration No. 282718-3001
 Violations Cited: Yard Trash and Land-Clearing
 Debris; and Compost, 25A S.C. Code Ann. Reg. 61-107.4.D.10.& G.1.
 (Supp. 2002)

Summary: Double E Trucking & Mulch Wood Grinding Site (Double E) failed to provide an outline of a financial assurance mechanism for closure and post-closure procedures and failed to fund the financial assurance mechanism prior to accepting yard trash, land-clearing debris (LCD) and wood debris.

Action: The Consent Order revokes Double E's approval to operate under Composting Registration No. 282718-3001 and requires Double E to bring no additional yard trash and/or LCD to its facility, post signs at Double E stating that the composting operation is closed, remove and properly dispose of all yard trash, LCD, wood debris, and compost from the facility, forward copies of all disposal receipts to the Department, properly complete closure of the facility, and pay to the Department a civil penalty in the amount of two thousand dollars **(\$2,000.00)** for the violations cited. The penalty is to be paid in four (4) equal installments of five hundred dollars (\$500.00) each and are to be paid quarterly beginning three (3) months from receipt of a copy of this fully executed order.

- 6) Order Type and Number: Consent Order 03-22-SW
 Order Date: June 17, 2003
 Responsible Party: **A.P. Bowden Construction, Inc.**
 Location/Mailing Address: 367 Sumter Highway
 Camden, SC 29020
 County: Kershaw
 Previous Orders: None
 Permit Number: None
 Violations Cited: South Carolina Solid Waste Policy
 and Management Act of 1991, S.C. Code Ann. §§ 44-96-260, 44-96-440,
 and 44-96-450 (2002) and the Construction, Demolition and Land-
 Clearing Debris Landfills Regulation, 25A S.C. Code Ann. Regs. 61-
 107.11 (Supp. 2002)

Summary: This Consent Order is entered into between the Department

and A. P. Bowden Construction, Inc. (Company) to resolve the issues regarding unpermitted solid waste disposal activities in Kershaw County, South Carolina. The Company disposed of land clearing debris from the Mental Health Center construction site in Camden at a structural fill site owned by Mr. Robert E. David, Jr., who had authorized the Company to place the debris on his property. Mr. David has been trying for several years to fill in two ponds on his property in order to build his new home and to have increased pastureland for his horses.

Action: The Company has agreed to comply with the solid waste laws in the future and to pay a civil penalty in the amount of two thousand, five hundred dollars (**\$2,500.00**). As the disposal site had previously received land clearing debris lawfully from property owned by Mr. David and his intent is to structurally fill the ponds, the Department is allowing the land clearing debris from the Mental Health Center construction site to remain at the structural fill site.

7) Order Type and Number: Consent Order 03-23-SW
 Order Date: June 17, 2003
 Responsible Party: **Robert E. David, Jr.**
 Location/Mailing Address: 1345 Sunnyhill Drive
 Camden, SC 29020

 County: Kershaw
 Previous Orders: None
 Permit Number: None
 Violations Cited: South Carolina Solid Waste Policy
 and Management Act of 1991, S.C. Code Ann. §§ 44-96-260, 44-96-440,
 and 44-96-450 (2002) and the Construction, Demolition and Land-
 Clearing Debris Landfills Regulation, 25A S.C. Code Ann. Regs. 61-
 107.11 (Supp. 2002)

Summary: This Consent Order is entered into between the Department and Mr. Robert E. David, Jr. (Mr. David) to resolve the issues regarding unpermitted solid waste disposal activities in Kershaw County, South Carolina. Mr. David allowed A. P. Bowden Construction, Inc., (Company) to dispose of land clearing debris from the Mental Health Center construction site in Camden at a structural fill site on his property located in the Sunnyhill Subdivision of Camden. Mr. David has been trying for several years to structurally fill two ponds on his property in order to build his new home and to increase pastureland for his horses. Mr. David had previously contracted with the Company to place land clearing debris from his property in the structural fill site and, therefore, believed that the debris from the Mental Health Center construction site was acceptable for structural fill.

Action: Mr. David has agreed to comply with solid waste laws in the future and to pay a civil penalty in the amount of two thousand dollars (**\$2,000.00**). As the structural fill site had previously received land clearing debris lawfully from property owned by Mr. David and it has been his intent to

structurally fill the ponds, the Department is allowing the land clearing debris from the Mental Health Center construction site to remain there. Mr. David has agreed to cover the debris with soil and to seed it.

- 8) Order Type and Number: Consent Order 03-25-SW
Order Date: June 25, 2003
Responsible Party: **Curtis L. Pruitt**
Location/Mailing Address: PO Box 1087, Pacolet, SC
29372/340 McDowell Street,
Pacolet, SC 29372
County: Spartanburg
Previous Orders: N/A
Permit Number: N/A
Violations Cited: Waste Tires Regulation, 25A S.C.
Code Ann. Reg. 61-107.3.D.1., E.1., E.2., E.3., G.1. & G.4.d. (Supp.
2002)

Summary: The Respondent unlawfully disposed of more than 10,000 whole waste tires on property he leased for the operation of a retail tire business in Spartanburg County, South Carolina. These waste tires were accumulated on site as a result of the operation of his retail tire business.

Action: On October 15, 2002, the Department determined that Mr. Pruitt would be unable to pay a civil penalty or clean up the site. The Town of Pacolet applied for and received a waste tire grant to clean up the site. Site clean up has been completed. The assessed civil penalty of \$10,000.00 was suspended; however, should Mr. Pruitt violate any part of the Order by not getting required solid waste permits or unlawfully disposing of solid waste on any property under his ownership or control in the future, the penalty shall become due and payable to the Department upon written notification.

Underground Storage Tank Enforcement

- 9) Order Type and No: Consent Order 03-4325-UST
Order Date: May 14, 2003
Owner/Operator: **Bob Mosley/Sam Patel**
Facility Name: Lucky's Corner Mart
Facility Address: 200 E. Roosevelt Drive, Anderson,
SC
County: Anderson
UST Permit Number: 11369
Previous UST Orders: None
Violations Cited: R.61-92, §280.40(a), R.61-92,
§280.34(c).

Summary: A compliance inspection revealed that the owner and operator had failed to conduct proper release detection, and had failed to submit records to the Department upon request.

Action: The owner repaired the tank gauge and submitted documentation within 30 days. The civil penalty of six hundred dollars (\$600.00) was subsequently **suspended**.

- 10) Order Type and Number: Consent Order 03-4450-UST
 Order Date: June 11, 2003
 Owner/Operator: **Vinod Dhand**
 Facility Name: Sav A Ton
 Facility Address: 3790 John C Calhoun Memorial
 Easley
 County: Pickens
 UST Permit Number: 11650
 Previous UST Orders: None
 Violations Cited: UST Control Regulations, R.61-92,
 §280.21(b)/(c) R.61-92, §280.40(a), R.61-92, §280.34(c).

Summary: A compliance inspection revealed that the owner/ operator had failed to provide an adequate release detection method, protect steel piping connections from corrosion, and supply records to the Department upon request.

Action: The owner/operator agreed to correct the violations and submit compliance documentation within 30 days. If the documentation is received as agreed, the Department will **suspend** the civil penalty of one thousand one hundred dollars (\$1,100).

- 11) Order Type and Number: Consent Order 03-3928-UST
 Order Date: June 20, 2003
 Owner/Operator: **Restructure Partners, LLC**
 Facility Name: Smart Stop
 Facility Address: 655 N. Anderson Rd., Rock Hill
 County: York
 UST Permit Number: 09305
 Previous UST Orders: None
 Violations Cited: UST Control Regulations, R.61-92,
 §280.31(a), R.61-92, §280.52, R.61-92, §280.34(c).

Summary: A compliance inspection revealed that the owner/ operator had failed to submit proof that a corrosion protection engineer approved corrosion protection system repairs, investigate and confirm a suspected release, and supply records to the Department upon request.

12)	<u>Order Type and No:</u>	Admin. Order 03-3887-UST (Consolidated)
	<u>Order Date:</u>	April 28, 2003
	<u>Owner/Operator:</u>	Ramseur Oil Company, Inc.
	<u>Facility Name:</u>	Bypass Amoco
	<u>Facility Address:</u>	301 E. Shockley Ferry Rd.
	<u>County:</u>	Anderson
	<u>UST Permit Number:</u>	00513
	<u>Facility Name:</u>	Holiday Amoco
	<u>Facility Address:</u>	3027 N. Main St., Anderson
	<u>County:</u>	Anderson
	<u>UST Permit Number:</u>	10468
	<u>Facility Name:</u>	Fant Street Amoco
	<u>Facility Address:</u>	501 E. Greenville St., Anderson
	<u>County:</u>	Anderson
	<u>UST Permit Number:</u>	11782
	<u>Previous UST Orders:</u>	CO 99-0172-UST (\$0), CO 02-3172-UST (\$450).
	<u>Violations Cited:</u>	UST Control Regulations, R.61-92, §280.20(d)(2), R.61-92, §280.31(b)(1), R.61-92, §280.31(c), R.61-92, §280.40(a), R.61-92, §280.41(b)(2), R.61-92, §280.34(c).

Action: The Department issued an Administrative Order with a civil penalty of eight thousand four hundred thirty dollars (\$8,430.00) when it became clear that the owner/ operator did not intend to enter into a Consent Order or come into compliance. The Administrative Order was not appealed. Compliance documentation was received on July 21, 2003 and the owner paid a reduced civil penalty of three thousand dollars (**\$3,000.00**).

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<u>County:</u>	Dorchester
<u>UST Permit Number:</u>	03061
<u>Previous UST Orders:</u>	None
<u>Violations Cited:</u>	UST Control Regulations, R.61-92, §280.31(a), R.61-92, §280.93(a), R.61-92, §280.34(c), R.61-92 §280.110(c), SUPERB Act 44-2-60(A).

Summary: A compliance inspection and file review revealed that the owner/operator had failed to repair and re-test the corrosion protection system, demonstrate financial responsibility, provide records to the Department upon request, and pay outstanding tank registration fees of one thousand two hundred ten dollars (\$1,210.00).

Action: The Department issued an Administrative Order with a civil penalty of five thousand two hundred twenty-five dollars (**\$5,225.00**) when it became clear that the owner/ operator did not intend to enter into a Consent Order or come into compliance. The Administrative Order was not appealed. Since the issuance of the order the owner/operator has demonstrated financial responsibility and paid the tank registration fees.

14) <u>Order Type and No:</u>	Admin. Order 03-3974-UST (Consolidated)
<u>Order Date:</u>	May 1, 2003
<u>Owner/Operator:</u>	Purvi Petroleum II, LLC
<u>Facility Name:</u>	Purvi Petroleum II, LLC
<u>Facility Address:</u>	1127 Savannah Hwy, Charleston
<u>County:</u>	Charleston
<u>UST Permit Number:</u>	12182
<u>Facility Name:</u>	Purvi Petroleum II, LLC
<u>Facility Address:</u>	631 Whaley St., Columbia
<u>County:</u>	Richland
<u>UST Permit Number:</u>	12827
<u>Previous UST Orders:</u>	01-1099-UST (\$2,900)
<u>Violations Cited:</u>	UST Control Regulations, R.61-92, §280.21(b)&(c), R.61-92, §280.93(a), R.61-92, §280.34(c), R.61-92, §280.110(c).

Summary: A compliance inspection and subsequent file review revealed that the owner/operator had failed to empty the pump sumps, demonstrate financial responsibility, and provide records to the Department upon request.

Action: The Department issued an Administrative Order with a civil penalty of ten thousand eight hundred dollars (**\$10,800.00**) when it became clear that the owner/ operator did not intend to enter into a Consent Order or come into compliance. The Administrative Order was not appealed.

- 15) Order Type and No: Admin. Order 02-3460-UST
 Order Date: May 7, 2003
 Owner/Operator: **Sarah Atkinson**
 Facility Name: Squire Village Food Store
 Facility Address: 1600 Ogden Rd., Rock Hill
 County: York
 UST Permit Number: 15385
 Previous UST Orders: None
 Violations Cited: UST Control Regulations, R.61-92,
 §280.65.

Summary: A file review revealed that the owner/operator had failed to submit a Tier I Assessment Report in accordance with a schedule established by the Department.

Action: The Department issued an Administrative Order with a civil penalty of thirteen thousand eight hundred dollars (**\$13,800.00**) when it became clear that the owner/ operator did not intend to enter into a Consent Order or come into compliance. The Administrative Order was not appealed.

- 16) Order Type and No: Admin. Order 03-3813-UST
 Order Date: May 12, 2003
 Owner/Operator: **William A. Porter**
 Facility Name: Porter's Grocery
 Facility Address: 2212 Fort Jackson Rd., Elgin
 County: Kershaw
 UST Permit Number: 15775
 Previous UST Orders: AO 98-0158-UST (0)
 Violations Cited: UST Control Regulations, R.61-92,
 §280.65, SUPERB Act 44-2-60(A).

Summary: A file review revealed that the owner/operator had failed to submit an Initial Groundwater Assessment Report in accordance with a schedule established by the Department, and pay three thousand five hundred twenty-four dollars (\$3,524.00) in outstanding tank registration fees.

Action: The Department issued an Administrative Order with a civil penalty of four thousand three hundred ninety-five dollars (**\$4,395.00**) when it became clear that the owner/ operator did not intend to enter into a Consent Order or come into compliance. The Administrative Order was not appealed.

BUREAU OF WATER

Drinking Water Enforcement

- 17) Order Type and No.: CO 03-077-DW
 Order Date: June 3, 2003
 Responsible Party: **R.J. Properties, Inc.**
 Facility: Plantation at Haywood Apartments
 Location/Mailing Address: 135 Haywood Crossing Drive
 Greenville, SC 29607
 County: Greenville
 Previous Order(s): None
 Permit/System Number: 23-386-B
 Violation(s) Cited: 24A S.C. Code Ann. Regs. 61-51(J)
 (Supp. 2002)

Summary: R.J. Properties, Inc. (Respondent) owns and is responsible for the operation and maintenance of a public swimming pool. The Respondent failed to properly operate and maintain the public swimming pool.

Action: The Respondent has agreed to: (1) properly operate and maintain the public swimming pool in accordance with the Public Swimming Pool regulations; (2) prior to the 2003 calendar year pool season, schedule a pre-season inspection of the public swimming pool; and, (3) within thirty (30) days of the Order date, pay a civil penalty of one thousand six hundred eighty dollars (\$1,680.00).

- 18) Order Type and No.: CO 03-078-DW
 Order Date: June 5, 2003
 Responsible Party: **Digesh Gajjar**
 Facility: Ramada Inn
 Location/Mailing Address: 123 Mall Street
 Santee, SC 29142
 County: Orangeburg
 Previous Order(s): None
 Permit/System Number: 38-035-B
 Violation(s) Cited: 24A S.C. Code Ann. Regs. 61-51 (J)
 (Supp. 2002)

Summary: Digesh Gajjar (Respondent) d/b/a Ramada Inn owns and is responsible for the proper operation and maintenance of a public swimming pool. The Respondent failed to properly operate and maintain the public swimming pool.

Action: The Respondent has agreed to: (1) properly operate and maintain the public swimming pool in accordance with the Public Swimming Pool

regulations; (2) within ten (10) days of the Order date, contact the Lower Savannah EQC District to schedule an inspection; and, (3) within thirty (30) days of the Order date, pay a civil penalty of one thousand two hundred sixty dollars **(\$1,260.00)**.

19)	<u>Order Type and No.:</u>	CO 03-079-DW
	<u>Order Date:</u>	June 4, 2003
	<u>Responsible Party:</u>	Town of Govan
	<u>Facility:</u>	
	<u>Location/Mailing Address:</u>	198 Eubanks Street Olar, SC 29843
	<u>County:</u>	Bamberg
	<u>Previous Order(s):</u>	None
	<u>Permit/System Number:</u>	0510005
	<u>Violation(s) Cited:</u>	24A S.C. Code Ann. Regs. 61-58.7 (Supp. 2002)

Summary: The Town of Govan (Respondent) owns, operates and maintains a public Water System (PWS). The Respondent failed to properly operate and maintain the PWS.

Action: The Respondent has agreed to: (1) submit semi-annual update reports detailing the current status of the grant that the Respondent has applied for and any problems and/or corrective actions taken to address water pressure and storage capacity at the PWS; (2) within thirty (30) days of the Order date, schedule an inspection with the Department to verify completion of log books documenting the Leak Detection & Repair Program and a viable Cross Connection Control (CCC) Program; and, (3) within ninety (90) days of the Order date, submit a Business Plan (BP).

20)	<u>Order Type and No.:</u>	CO 03-080-DW
	<u>Order Date:</u>	June 24, 2003
	<u>Responsible Party:</u>	Clyde E. Sutton
	<u>Facility:</u>	
	<u>Location/Mailing Address:</u>	917 D. Street Hartsville, SC 29550
	<u>County:</u>	Kershaw County
	<u>Previous Order(s):</u>	None
	<u>Permit/System Number:</u>	None
	<u>Violation(s) Cited:</u>	25 S.C. Code Ann. Regs. R.61-71
	(F)(2)(e)(Supp. 2002)	

Summary: Clyde E. Sutton (Respondent) is in the business of well drilling. The Respondent failed to grout a well.

21)	<u>Order Type and No.:</u>	CO 03-081-DW
	<u>Order Date:</u>	June 17, 2003
	<u>Responsible Party:</u>	County of Allendale
	<u>Facility:</u>	Allendale Industrial Park
	<u>Location/Mailing Address:</u>	PO Box 190
		Allendale, SC 29810
	<u>County:</u>	Allendale
	<u>Previous Order(s):</u>	None
	<u>Permit/System Number:</u>	0320002
	<u>Violation(s) Cited:</u>	24A S.C. Code Ann. Regs. 61-58.7
	(Supp. 2002)	

Action: The Respondent has agreed to: (1) within thirty (30) days of the Order date, flow test fire hydrant #15 and submit documentation of the results, remove and properly dispose of the two hundred (200) gallon container of corrosive acid, submit documentation that it has been properly disposed of, and pay a civil penalty of two thousand eight hundred dollars (**\$2,800.00**); (2) within ninety (90) days of the Order date, submit a BP; and, (3) within one hundred eighty (180) days of the Order date, complete and schedule an inspection to verify completion of a system map, a written CCC Program, valve/hydrant maintenance program, Leak Detection & Repair Program, Sample Siting Plan and Procedures Manual.

Summary: Morris Turner, Jr. (Respondent) d/b/a Turner Well Drilling is in the business of well drilling. The Respondent improperly grouted a well, and

Action: The Respondent has agreed to: (1) comply with all State rules and regulations concerning well construction and permitting; (2) within sixty (60) days of the Order date, submit well record forms for the remaining two hundred eighty-five (285) wells; and, (3) within thirty (30) days of the Order date, pay a civil penalty of two thousand eight hundred dollars **(\$2,800.00)**.

Summary: J. Carthen Prosser (Respondent) d/b/a Energy Miser Heating & Cooling, Inc. was not a South Carolina certified well driller. The Respondent installed three (3) heat pump wells and failed to properly construct each well.

24)	<u>Order Type and No.:</u>	CO 03-098-DW
	<u>Order Date:</u>	June 30, 2003
	<u>Responsible Party:</u>	Robin G. Scism
	<u>Facility:</u>	
	<u>Location/Mailing Address:</u>	PO Box 318 York, SC 29745
	<u>County:</u>	York and Chester
	<u>Previous Order(s):</u>	CO 98-069-DW (\$2,000.00) AO 02-086-DW (\$7,500.00)

Permit/System Number: None
Violation(s) Cited: 24A S.C. Code Ann. Regs. 61
44(D)(4) 24A S.C. Code Ann. Regs. 61-44(D)(7) 24 S.C. Code Ann.
Regs. 61-30(C)(1)(b)

Summary: Robin G. Scism (Respondent) is in the business of well drilling. The Respondent failed to send Notice of Intent (NOI) forms and permit fees for the installation of twenty-seven (27) wells and failed to have a NOI form on site during the installation of two (2) wells.

Action: The Respondent has agreed to: (1) comply with all State rules and regulations concerning well construction and permitting; (2) within ninety (90) days of the Order date, pay a penalty of one thousand eight hundred seventy dollars (\$1,870.00) in unpaid permitting fees for the twenty-seven (27) wells; and, (3) within one hundred eighty (180) days of the Order date, pay a civil penalty of two thousand eight hundred dollars (**\$2,800.00**).

25) Order Type and No.: CO 03-099-DW
Order Date: June 30, 2003
Responsible Party: **The Point Home Owners Association**
Facility: The Point Public Swimming Pool
Location/Mailing Address: 1032 North Island Court
City/State/Zip: Clarendon, SC 29148
County: Clarendon
Previous Order(s): None
Permit/System Number: 14-034-1
Violation(s) Cited: 25A S.C. Code Ann. Regs. 61-51(J)
S.C. Code Ann. §44-55-2340(C)

Summary: The Point Home Owners Association (Respondent) owns and is responsible for the proper operation and maintenance of a public swimming pool. The Respondent failed to properly operate and maintain the public swimming pool.

Action: The Respondent has agreed to: (1) properly operate and maintain the public swimming pool in accordance with the Public Swimming Pool regulations; (2) within fifteen (15) days of the Order date, submit a corrective action plan (CAP) to the Department and the Wateree EQC District; (3) within fifteen (15) days of the Order date, submit a letter stating that The Point Home Owners Association has taken responsibility of the swimming pool from Island Enterprise (the former owner); and, (4) within thirty (30) days of the Order date, pay a civil penalty of one thousand six hundred eighty dollars (**\$1,680.00**).

Water Pollution Enforcement

26) Order Type and No.: CO 03-082-W
Order Date: June 3, 2003
Responsible Party: **Specialty Polymers, Inc.**
Facility:
Location/Mailing Address: 869 Old Richburg Road
Chester, SC 29706
County: Chester
Previous Order(s): CO 02-256-W (\$8,000.00)
Permit/System Number: None
Violation(s) Cited: R. 61-9.122.41(a) 24 R.61-
9.122.21(a)(2) R. 61-67 S.C. Code Ann. § 48-1-110(a)(1)&(d)
S.C Code Ann. § 48-1-90(a)

Summary: Specialty Polymers, Inc.(Respondent) owns and is responsible for a polymer manufacturing plant and wastewater pretreatment facility (WWPTF). The Respondent discharged waste into the environment, including waters of the State, constructed containment basins used for the unauthorized storage of process wastewater without a permit, failed to provide for daily visits by an operator of appropriate grade, failed to possess a properly prepared Storm Water Pollution Prevention Plan (SWP3), and failed to properly implement measures to prevent the discharge of pollutants into the environment via contact with precipitation.

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; (2) within thirty (30) days of the Order date, submit a copy of a contract with a licensed Grade A Physical/Chemical operator, (3) within thirty (30) days of the Order date, submit a closure plan for the containment ponds or as-built plans and specifications and a construction permit application for the ponds, (4) within thirty (30) days of the Order date, submit a plan for removing the sludge from the containment ponds; (5) within forty-five (45) days of the Order date, submit a preliminary engineering report (PER) addressing the upgrade of the WWPTF, including an implementation schedule which will be incorporated into and become an enforceable part of this Order; (6) within thirty (30) days of the Order date, submit a copy of a revised SWP3; (7) within fifteen (15) days of the Order date, clean out the rail car unloading area drains and the piping trench that extends from the plant to the aboveground storage tank area and remove the stained soil; and, (8) pay a civil penalty in the amount of fifty-four thousand nine hundred dollars (**\$54,900.00**).

27) Order Type and No.: CO 03-083-W
Order Date: June 4, 2003
Responsible Party: **G.J. Creel & Sons, Inc.**
Facility: Creel Oil and Gas Company
Location/Mailing Address: PO Box 289
Conway, SC 29528

<u>County:</u>	Horry
<u>Previous Order(s):</u>	None
<u>Permit/System Number:</u>	None
<u>Violation(s) Cited:</u>	S.C. Code Ann. § 48-1-90(a)

Summary: G.J. Creel & Sons, Inc. (Respondent) owns and is responsible for the Creel Oil & Gas Company, a bulk fuel terminal. The Respondent discharged diesel fuel into the environment, including waters of the State.

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; (2) within thirty (30) days of the Order date, submit a Corrective Action Plan (CAP), including a list of Best Management Practices (BMPs) and a written Standard Operating Procedure (SOP) addressing the prevention of fuel releases and the prevention of releases from entering the environment; and, (3) pay a civil penalty of six thousand eight hundred dollars **(\$6,800.00)**.

28)	<u>Order Type and No.:</u>	CO 03-084-W
	<u>Order Date:</u>	June 3, 2003
	<u>Responsible Party:</u>	Town of Pageland
	<u>Facility:</u>	Southeast WWTF
	<u>Location/Mailing Address:</u>	126 North Pearl Street Pageland, SC 29728
	<u>County:</u>	Chesterfield
	<u>Previous Order(s):</u>	CO 01-239-W
	<u>Permit/System Number:</u>	SC0021539
	<u>Violation(s) Cited:</u>	R. 61-9.122.41(a)(1) 24 R. 61-9.403.8(f) S.C. Code Ann. § 48-1-110(d)

Summary: The Town of Pageland (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF). The Respondent exceeded the permitted discharge limits for copper, chronic toxicity and mercury, and failed to properly implement its pretreatment program.

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; (2) within thirty (30) days of the Order date, submit a CAP addressing deficiencies in the Pretreatment Program; (3) within thirty (30) days of the Order date, submit a Toxicity Identification Evaluation Schedule, with a report due within two hundred seventy (270) days; and, (4) pay a civil penalty in the amount of nine thousand three hundred fifty dollars **(\$9,350.00)**.

29) Order Type and No.: CO 03-087-W
 Order Date: June 26, 2003
 Responsible Party: **Pickens County Public Service**
 Commission
 Facility: Central-North WWTF
 Location/Mailing Address: 151 Clearwater Drive
 Liberty, SC 29657
 County: Pickens
 Previous Orders: CO 01-250-W (\$5,600.00)
 Permit/System Number: S.C. Code Ann. 48-1-110(d)
 (Supp. 2002) R. 61-9.122.41(a) (Supp 2002)

Summary: Pickens County Public Service Commission (Respondent) owns and is responsible for the proper operation and maintenance of the Central-North WWTF. The Respondent failed to comply with the permitted discharge limits for flow in conduit, pH, dissolved oxygen, total suspended solids, and fecal coliform bacteria.

Action: The Respondent has agreed to: (1) operate and maintain the WWTF in accordance with applicable State and Federal regulations; (2) within sixty (60) days of the Order date, submit a diagnostic evaluation (DE) of the WWTF stating whether or not the WWTF can meet limits as constructed; (3) within ninety (90) days of the Order date, submit a PER, complete with a schedule of implementation addressing the upgrade of the facility, should the DE indicate an upgrade is necessary; (4) within thirty (30) days of the Order date, submit a study plan for instream water quality assessment for fecal coliform bacteria; (5) within thirty (30) days of the Department's approval of the plan, conduct the water quality assessment for fecal coliform bacteria; and, (6) within thirty (30) days of the Order date, pay a civil penalty of ten thousand two hundred dollars **(\$10,200.00)**.

30) Order Type and No.: CO 03-088-W
 Order Date: June 26, 2003
 Responsible Party: **Pickens County Public Service**
 Commission
 Facility: Liberty-Cramer WWTF
 Location/Mailing Address: 151 Clearwater Drive
 Liberty, SC 29657
 County: Pickens
 Previous Orders: CO 97-091-W (\$8,000.00)
 CO 01-249-W (\$7,000.00)
 Permit/System Number: SC0026166
 Violation(s) Cited: S.C. Code Ann. 48-1-110(d) (Supp.
 2002) 24 S.C. Code Ann. Regs. 61-9.122.41(a) (Supp. 2002)

Summary: Pickens County Public Service Commission (Respondent) owns and is responsible for the proper operation and maintenance of the Liberty-

Cramer WWTF. The Respondent failed to comply with the permitted discharge limits for ammonia-nitrogen, chronic toxicity, total lead, and fecal coliform bacteria.

Action: The Respondent has agreed to: (1) operate and maintain the WWTF in accordance with applicable State and Federal regulations; (2) within sixty (60) days of the Order date, submit a DE of the WWTF stating whether or not the WWTF can meet limits as constructed; (3) should the DE indicate an upgrade is necessary to meet limits, within ninety (90) days of the Order date, submit a PER complete with a schedule of implementation, addressing the upgrade of the facility; and, (4) within thirty (30) days of the Order date, pay a civil penalty of fifteen thousand three hundred dollars (**\$15,300.00**).

31) Order Type and No.: CO 03-089-W
 Order Date: June 19, 2003
 Responsible Party: **Bray's Island Plantation Colony**
 Facility: Bray's Island Plantation WWTF
 Location/Mailing Address: PO Box 70042
 Lady's Island, SC 29902

 County: Beaufort
 Previous Orders: CO 99-151-W (\$2,500.00)
 Permit/System Number: SC0047228
 Violation(s) Cited: S.C. Code Ann. 48-1-110(d) (Supp.
 2001) 24 S.C. Code Ann. R. 61-9.122.41(a) (Supp. 2001)

Summary: Bray's Island Plantation Colony (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF. The Respondent failed to comply with the chronic toxicity limits.

Action: The Respondent has agreed to: (1) operate and maintain the WWTF in accordance with applicable State and Federal regulations; (2) within thirty (30) days of the Order date, submit a summary of corrective actions that have already been taken; and, (3) within thirty (30) days of the Order date, submit a completed application for a land application permit with a schedule of implementation that will result in the elimination of the discharge to Huspa Creek.

32) Order Type and No.: CO 03-090-W
 Order Date: June 19, 2003
 Responsible Party: **South Carolina Electric & Gas**
 Company
 Facility: McMeekin Station
 Location/Mailing Address: Mail Code PO5
 Columbia, SC 29218

 County: Lexington
 Previous Order(s) CO 02-175-W for Wateree Station
 CA 98-077-W for Wateree Station

Permit/System Number: SC0002046
Violation(s) Cited: 24 S.C. Code Ann. Regs. 61-9.122.41(a)(1) 24 S.C. Code Ann. R. 61-9.122.41(j)(3) S.C. Code Ann. § 48-1-110(d) S.C. Code Ann. § 48-1-90(a)

Summary: South Carolina Electric and Gas Company (Respondent) owns and is responsible for the proper operation and maintenance of a WWTF. The Respondent exceeded the permitted discharge limit for pH, failed to monitor for copper, and discharged waste into the environment.

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; (2) conduct a pilot study addressing compliance with the permitted discharge limit for pH, submitting a progress report every one hundred eighty (180) days, until December 31, 2004; (3) within thirty (30) days of the Order date, submit a letter requesting approval to expand and line an existing pond to be used for landfill run-off during excavation; and, (4) within thirty (30) days of the Order date, pay a civil penalty of fourteen thousand dollars **(\$14,000.00)**.

33) Order Type and No.: CO 03-091-W
Order Date: June 19, 2003
Responsible Party: **Lexington County**
Facility: Edmund Landfill
Location/Mailing Address: 498 Landfill Lane
Lexington, SC 29073
County: Lexington
Previous Order(s) None
Permit/System Number: SC0045110
Violation(s) Cited: 24 S.C. Code Ann. Regs. 61-9.122.41(a)(1) S.C. Code Ann. § 48-1-110(d)

Summary: Lexington County (Respondent) owns and is responsible for a sedimentation pond serving Edmund Landfill, a former municipal solid waste landfill. The Respondent exceeded the permitted discharge limit for copper.

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; (2) instruct the contract laboratory to perform a repeat of the analysis to confirm the violation within fifteen (15) days, should a violation of the permitted discharge limit for copper occur within one hundred eighty (180) days of the Order date; and (3) within thirty (30) days of the Order date, pay a civil penalty of four thousand two hundred dollars **(\$4,200.00)**.

34) Order Type and No.: CO 03-096-W
Order Date: June 27, 2003
Responsible Party: **Ronnie Myers**

<u>Facility:</u>	Myers Dairy
<u>Location/Mailing Address:</u>	2721 Landsdowne Road Bowman, SC 29018
<u>County:</u>	Orangeburg
<u>Previous Order(s):</u>	None
<u>Permit/System Number:</u>	None
<u>Violation(s) Cited:</u>	25 S.C. Code Ann. R. 61-43.200.20.A

Summary: Ronnie Myers (Respondent) owns and is responsible for the Myers Dairy (Site). The Respondent failed to obtain a permit for his animal facility.

Action: The Respondent has agreed to: (1) comply with all permitting and operating requirements in accordance with State and Federal regulations; (2) within sixty (60) days of the Order date, submit documentation that deficiencies at the Site have been corrected; (3) within sixty (60) days of the Order date, submit for approval, a copy of the Certificate of Completion from the Natural Resource Conservation Service (NRCS); and, (4) within thirty (30) days of the Order date, pay a civil penalty of one thousand seven hundred dollars **(\$1,700.00)**.

35)	<u>Order Type and No.:</u>	CO 03-097-W
	<u>Order Date:</u>	June 30, 2003
	<u>Responsible Party:</u>	Douglas Blanton
	<u>Facility:</u>	Blanton Septic Tank Service
	<u>Location/Mailing Address:</u>	131 Draytonville Church Road Gaffney, SC 29340
	<u>County:</u>	Cherokee
	<u>Previous Order(s):</u>	CO 01-028-W
	<u>Permit/System Number:</u>	ND0080489
	<u>Violation(s) Cited:</u>	S.C. Code Ann. § 48-1-90 (a)

Summary: Douglas W. Blanton (Respondent) owns and is responsible for the proper operation and maintenance of a domestic septage land application site located in the above-referenced county. The Respondent discharged waste onto the site.

Action: The Respondent has agreed to: (1) dispose of all waste in accordance with Department regulations and guidelines; and, (2) submit copies of all septage and disposal records for a period of six (6) months after the Order date. Additionally, the Respondent agreed not to dispose of septage on the land application site until such time as he can demonstrate compliance with the Land Application Permit.

BUREAU OF AIR QUALITY

36) Order Type and No.: Consent Order 03-036-A
 Order Date: June 4, 2003
 Responsible Party: **Beneteau USA, Inc.**
 Location/Mailing Address: Highway 76 West
 Marion, South Carolina 29571
 County: Marion
 Previous Order(s): None
 Permit No.: 1660-0029
 Violation(s) Cited: S.C. Code Ann. §48-1-110(d); South
 Carolina Air Pollution Control Regulation 61-62.70

Summary: Beneteau, located in Marion, South Carolina, manufactures fiberglass boats. The Department issued Part 70 ("Title V") Air Quality Operating Permit TV-1660-0029 to Beneteau, effective September 29, 2000. Beneteau failed to: notify the Department within 10 days that it increased actual volatile organic compound ("VOC") emissions to a level greater than 62.5 tons per year ("TPY"); limit the hazardous air pollutant ("HAP") content of its tooling gelcoat to 40% by weight; and certify its compliance status accurately in the Title V Annual Compliance Certification ("TVACC") for the reporting period ending September 28, 2001.

Action: On December 9, 2002, the Department issued Beneteau a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on April 22, 2003. A Consent Order was negotiated in which Beneteau agreed to: notify the Department within 10 days that it increased actual emissions to a level greater than 62.5 TPY; comply with VOC and HAP limits contained in its Title V permit; submit a revised TVACC for the reporting period ending September 28, 2001, that accurately reflects the compliance status of the facility; and pay a civil penalty in the amount of six thousand dollars (**\$6,000.00**). The penalty has been paid.

37) Order Type and No.: Consent Order 03-037-A
 Order Date: June 4, 2003
 Responsible Party: **Lauscha Fiber International**
 Location/Mailing Address: 105 Eastport Lane
 Summerville, South Carolina 29483
 County: Dorchester
 Previous Order(s): None
 Permit No.: 0900-0050
 Violation(s) Cited: South Carolina Air Pollution Control
 Regulation 61-62.6, Control of Fugitive Particulate Matter, and S.C. Code
 Ann. §48-1-110(d).

Summary: Lauscha Fiber International, located in Summerville, South Carolina, manufactures glass microfibers by processing glass pellets using flame attenuation. Lauscha Fiber operates pursuant to Conditional Major Air Quality Operating Permit CM-0900-0050, effective March 19, 2001. Department personnel observed fugitive emissions exiting the facility during a February 15, 2001, inspection. The Department also investigated a citizen complaint on July 12, 2002, concerning fugitive emissions exiting the Lauscha Fiber facility. Department personnel collected fiber samples from the complainant's property and the Lauscha Fiber facility, and the sample analysis results indicated that the fibers were homogeneous. A review of Department records also indicated that Lauscha Fiber failed to submit an initial Monitoring Plan within 180 days of the issuance of the permit.

Action: On September 16, 2002, the Department issued Lauscha Fiber a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on October 8, 2002. A Consent Order was negotiated in which Lauscha Fiber agreed to operate and maintain process and pollution control equipment in a manner that will minimize fugitive emissions; and to pay a civil penalty in the amount of two thousand dollars (**\$2,000.00**). The penalty has been paid.

38) <u>Order Type and No.:</u>	Consent Order 03-038-A
<u>Order Date:</u>	June 9, 2003
<u>Responsible Party:</u>	Cherokee County Cogeneration
<u>Location/Mailing Address:</u>	132 Peoples Creek Road Gaffney, South Carolina 29340
<u>County:</u>	Cherokee
<u>Previous Order(s):</u>	None
<u>Permit No.:</u>	0600-0060
<u>Violation(s) Cited:</u>	S.C. Code Ann. 48-1-110(d) and South Carolina Air Pollution Control Regulation 61-62.70 <u>Title V</u> <u>Operating Permit Program.</u>

Summary: Cherokee County Cogeneration, located in Gaffney, South Carolina, is a facility that generates electricity and supplies electricity, steam, and water to an adjacent company. A review of Department records indicated that Cherokee County Cogeneration failed to submit its Title V Annual Compliance Certification for the August 1, 2001, through July 31, 2002, time period.

Action: On May 16, 2003, the Department issued Cherokee County Cogeneration a Notice of Violation and a Notice of Enforcement Conference. Cherokee County Cogeneration elected to forego an enforcement conference and proceed with resolution of the violations through a Consent Order. A Consent Order was negotiated in which Cherokee County Cogeneration agreed to ensure that future TVACC's are submitted in accordance with the time frames

39)	<u>Order Type and No.:</u>	Consent Order 03-039-A
	<u>Order Date:</u>	June 9, 2003
	<u>Responsible Party:</u>	Mr. Jerry Quinn
	<u>Location/Mailing Address:</u>	27 Oaktree Road Spartanburg, South Carolina 29303
	<u>County:</u>	Spartanburg
	<u>Previous Order(s):</u>	None
	<u>Permit No.:</u>	None
	<u>Violation(s) Cited:</u>	South Carolina Air Pollution Control Regulation 61-62.2, <u>Prohibition of Open Burning</u>

Action: On November 19, 1999, Mr. Quinn was issued a Warning Letter explaining the Open Burning regulations and requesting that all illegal burning cease. On January 13 and September 20, 2000; July 25 and September 19, 2001; and May 21, 2003, the Department issued Mr. Quinn Notices of Violation and Notices of Enforcement Conference. An enforcement conference was held on May 28, 2003. A Consent Order was negotiated in which Mr. Quinn agreed to comply with Department Open Burning regulations and pay a civil penalty in the amount of seven hundred and fifty dollars **(\$750.00)**. The penalty is due July 9, 2003.

Summary: Perdue Farms, Inc. (“Perdue Farms”), located in Dillon, South Carolina, is a poultry processing facility and operates pursuant to Air Quality Operating Permit 0880-0029. Due to the amount of anhydrous ammonia

it stores on-site, Perdue Farms is subject to U.S. EPA Regulation 40 CFR 68 and South Carolina Air Pollution Control Regulation 61-62.68, Chemical Accident Prevention Provisions. Perdue Farms failed to update and revalidate its Process Hazard Analysis (“PHA”) within five years after completion of an initial PHA and failed to implement its written procedures to maintain the on-going mechanical integrity of some process equipment as required by the regulations.

Action: On March 25, 2003, the Department issued Perdue Farms a Notice of Violation and a Notice of Enforcement Conference, and an enforcement conference was held on April 15, 2003. A Consent Order was negotiated in which Perdue Farms agreed to: ensure that it updates and revalidates its PHA at least every five years; ensure that it implements its established written procedures to maintain the on-going mechanical integrity of all process equipment; and pay a civil penalty in the amount of three thousand dollars (**\$3,000.00**). The penalty is due July 27, 2003.